

Ordered  
ON  
1/9/90



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Antonio ZIGGIOTTI et al.

Serial No.: 07/117,823

Filed: November 9, 1987

For: SALT OF DICLOFENAC WITH A CYCLIC ORGANIC BASE AND  
PHARMACEUTICAL COMPOSITIONS WHICH CONTAIN IT

920 S-18-89

#16  
1376

DAI 161  
ZIN  
NORTHINGTON  
121

Group Art Unit: 121

Examiner: Z. Northington

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION PURSUANT TO 37 C.F.R. §1.137(b)**

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

RECEIVED

FEB 07 1990

Sir:

DEPUTY ASST. COMM. 13110

Responsive to the Notice of Abandonment mailed May 17, 1989,  
(attached hereto as Appendix A), applicants respectfully request  
that the above-identified application be withdrawn from abandoned  
status for failure to timely respond to the Office Action mailed  
October 24, 1988. Applicants respectfully submit that  
abandonment due to the above fact was unintentional.

Applicants enclose herewith a Supplemental Amendment After  
Final Rejection and Notice of Appeal, fully responsive to the  
Office Action mailed October 24, 1988. Also enclosed is  
applicants' check pursuant to 37 C.F.R. §1.17(m) in the amount of  
\$310.00 (three hundred ten dollars).

Applicants' undersigned representative was informed by a PTO  
official of the Petition Branch during a December 12, 1989  
telephone conference that no extensions of time were necessary in  
this case. If any extensions of time are deemed necessary,  
applicants hereby petition the Commissioner to grant a third,  
one-month extension of time (the fee for a second, one-month  
extension of time having already been paid on March 17, 1989).


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1 241

310.00 CK

In the event any additional fees are deemed necessary, the  
PTO is authorized to charge Deposit Account No. 01-2508.

Respectfully submitted,

  
Roger W. Parkhurst  
Registration No. 25,177  
Stephen P. Burr  
Registration No. 32,970

RWP:SPB/ame

Attorney Docket No. NOTG:013

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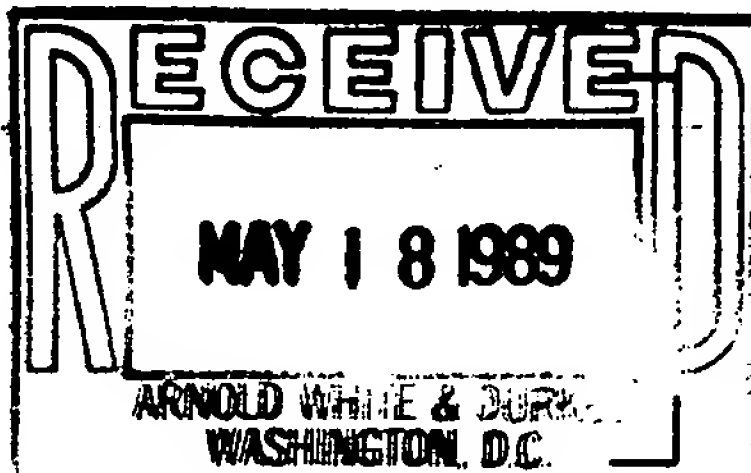


UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
077117823	11/09/87	ZIGGIOTTI	A RWF24471

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EXAMINER	
NORTHINGTON, Z	
ART UNIT	PAPER NUMBER
121	13

DATE MAILED:

05/17/89

### NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☒ Applicant's failure to respond to the Office letter, mailed October 14, 1988
- ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
- ☐ Applicant's failure to timely file the response received \_\_\_\_\_ within the period set in the Office letter.
- ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of \_\_\_\_\_ of the Notice of Allowance.

☐ The issue fee was received on \_\_\_\_\_.

☐ The issue fee has not been received in Allowed Files Branch as of \_\_\_\_\_.

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17 (l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of *Delgar Inc. v. Schuyler*, 172 U.S.P.Q. 513.

- ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by \_\_\_\_\_ as required in the last Office action.

☐ The corrected and/or substitute drawings were received on \_\_\_\_\_.

- ☐ The reason(s) below.

Laura Northington  
(703) 557-1215

MARY C. LEE  
SUPERVISORY PRIMARY EXAMINER  
ART UNIT 121

APPENDIX A